



July 3, 2019

SUBMITTED VIA FOIA ONLINE

National Freedom of Information Officer
U.S. Environmental Protection Agency
<https://www.foiaonline.gov>

RE: Freedom of Information Act Request Re: FG LA, LLC Class I Modeling

Dear National Freedom of Information Officer:

We represent Louisiana Bucket Brigade and RISE St. James in making this request under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552. Specifically, we request all records in the possession, custody, or control of EPA Region 6 that refer or relate to FG LA, LLC’s modeling protocol and consultation in connection with its Prevention of Significant Deterioration permit application and associated Class I increment modeling for its planned Chemical Complex in St. James, Louisiana.

We request that you send electronic copies of the records to cvandalen@earthjustice.org.

For purposes of this request, the term “records” includes, but is not limited to, documents (handwritten, typed, electronic or otherwise produced, reproduced, or stored), letters, e-mails, facsimiles, memoranda, correspondence, notes, databases, drawings, graphs, charts, photographs, minutes of meetings, electronic and magnetic recordings of meetings, and any other compilation of data from which information can be obtained.

FOIA requires that you respond within 20 working days of your receipt of this request, *see* 5 U.S.C. § 552(a)(6)(A)(i), 40 C.F.R. § 2.104, and that your response “at least indicate within the relevant time period the scope of the documents [you] will produce and the exemptions [, if any, you] will claim with respect to any withheld documents.” *Citizens for Responsibility & Ethics in Washington v. F.E.C.*, 711 F.3d 180, 182-83 (D.C. Cir. 2013).

We ask that you exercise your discretion to the fullest extent in favor of disclosing records responsive to this FOIA request.¹ However, should you decide you must withhold any records under claim of a FOIA exemption, please identify each such record in writing, give a brief description of the contents of that record, and explain the agency’s justification for withholding it. If a document contains both exempt and non-exempt information, please provide those

¹ *See* Atty. Gen. Mem. to Heads of Exec. Dep’ts and Agencies (Mar. 19, 2009) (“An agency should not withhold records merely because it can demonstrate, as a technical matter, that the records fall within the scope of a FOIA exemption.”), *available at* <http://www.justice.gov/ag/foia-memo-march2009.pdf>.

portions of the document that are not exempt from disclosure. Finally, if a document does not exist, please indicate that in your written response.

Thank you for your time and assistance. We look forward to your prompt reply.

Sincerely,

/s/Corinne Van Dalen

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